Board of Minerals and Environment Notice of Public Hearing to Amend Rules

A public hearing will be held in the Floyd Matthew Environmental Education and Training Center, 523 East Capitol Avenue, Pierre, South Dakota, on August 15, 2013, at 10:00 a.m. Central Daylight Time, to consider the adoption and amendment of proposed rules, numbered:

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§§ 74:28:21:01; 74:28:21:02; 74:28:22:01; 74:28:23:01; 74:28:24:01; 74:28:25:01; 74:28:25:03; 74:28:25:04; 74:28:25:05; 74:28:26:01; 74:28:27:01; 74:28:28:01; 74:28:28:03; 74:28:28:04; 74:28:28:05; 74:28:30:01; 74:28:33:01
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The effect of the rules will be to update the state's existing hazardous waste rules by incorporating updated federal regulations by reference. These updates reflect changes made to the federal hazardous waste rules from July 1, 2010 through June 30, 2012. Once these updates are made, the state's rules will then be substantially the same as the federal hazardous waste rules. Changes to the rules include establishing procedures for identifying and managing certain hazardous secondary materials destined for recycling, and making technical and typographical corrections to the federal rules.

The reason for adopting the proposed rules is to ensure that companies generating, transporting, treating, storing or disposing of hazardous waste in South Dakota manage those wastes in compliance with the state's hazardous waste rules, ultimately working to protect human health and the environment. These proposed rules offer manufacturers the opportunity to recycle materials that might otherwise be considered wastes requiring disposal. The proposed updates also enable the state to keep pace with changes made in the federal hazardous waste regulations.

Persons interested in presenting data, opinions, and arguments for or against the proposed rules may do so by appearing in person at the hearing or by sending them to the South Dakota Department of Environment and Natural Resources, PMB 2020, Waste Management Program, Joe Foss Building, 523 East Capitol Avenue, Pierre, South Dakota 57501-3182. A copy of the draft rules and access to online commenting are also available at: http://denr.sd.gov/public/default.aspx Electronic comments and those sent by mail must reach the Department by August 15, 2013 to be considered.

At the hearing, the board will consider all written and oral comments it receives on the proposed rules. The board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is further given to individuals with disabilities that this hearing is being held in a physically accessible place. Please notify Carrie Jacobson at DENR at least 48 hours before the public hearing if you have a disability for which special arrangements must be made. The telephone number for making special arrangements is (605) 773-3153.

Copies of the proposed rules may be obtained without charge by calling Carrie Jacobson at (605) 773-3153 or from the following website: http://denr.sd.gov/des/wm/hw/hwmainpage.aspx

Steven M. Pirner, Secretary

Department of Environment and Natural Resources

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